

Jan. 18. 2008 10:36AM

No. 5131 P. 1

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1251  
**SCULLY, SCOTT, MURPHY  
& PRESSER, P.C.**

# Fax

<b>To:</b>	Attention: Refunds U.S. Patent & Trademark Office	<b>From:</b>	Debra L. Gerber for Peter I. Bernstein
<b>Fax:</b>	571-273-6500	<b>Pages:</b>	9 (including cover)
<b>Phone:</b>		<b>Date:</b>	January 18, 2008
<b>Re:</b>	USPN: 10/538,534 Filed: June 10, 2005 Our Docket: 21926	<b>CC:</b>	

☐ Urgent    ☐ For Review    ☐ Please Comment    ☐ Please Reply    ☐ Please Recycle

Please note we filed a Request for Continued Examination (RCE) (\$810.00) with a Petition for a one-month Extension of Time (\$120.00) inadvertently as a large entity status. The Request for Continued Examination and Petition for a one-month Extension of Time should have been paid as a small entity status. A copy of the Acknowledgement Receipt, Electronic Patent Application Fee Transmittal and Request for Continued Examination evidencing the overpayment is attached hereto. Also, a copy of the Deposit Account Statement from November 2007 is enclosed for your review. Therefore, please credit Deposit Account (19-1013) with \$465.00, half of the large entity fee.

Thank You.

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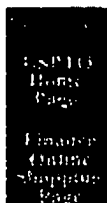
## Electronic Patent Application Fee Transmittal

<b>Application Number:</b>	10538534			
<b>Filing Date:</b>	10-Jun-2005			
<b>Title of Invention:</b>	Polarization-enhanced detector with gold nanorods for detecting nanoscale rotational motion and method therefor			
<b>First Named Inventor/Applicant Name:</b>	Wayne D. Frasch			
<b>Filer:</b>	Frank S. DiGiglio/Betty Kielbrowski			
<b>Attorney Docket Number:</b>	112624.00089			
Filed as Large Entity				
<b>U.S. National Stage under 35 USC 371 Filing Fees</b>				
<b>Description</b>	<b>Fee Code</b>	<b>Quantity</b>	<b>Amount</b>	<b>Sub-Total in USD(\$)</b>
<b>Basic Filing:</b>				
<b>Pages:</b>				
<b>Claims:</b>				
<b>Miscellaneous-Filing:</b>				
<b>Petition:</b>	<div style="font-family: monospace; font-size: small;"> Adjustment date: 02/05/2008 FEE BREMI  11/21/2007 INTERSW 02900248 191013 10538534  01 FC:1251 120.00 CR  02 FC:1401 810.00 CR </div>			
<b>Patent-Appeals-and-Interference:</b>	<div style="font-family: monospace; font-size: small;"> 02/05/2008 FEE BREMI 00000050 191013 10538534  01 FC:2801 405.00 DA  02 FC:2251 60.00 DA </div>			
<b>Post-Allowance-and-Post-Issuance:</b>				
<b>Extension-of-Time:</b>				
Extension - 1 month with \$0 paid	1251	1	120	120

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Miscellaneous:</b>				
Request for continued examination	1801	1	810	810
<b>Total in USD (\$)</b>				<b>930</b>



**United States  
Patent and  
Trademark Office**



**Deposit Account Statement**

**Requested Statement Month:** November 2007  
**Deposit Account Number:** 191013  
**Name:** SCULLY, SCOTT, MURPHY & PRESSER  
**Attention:** LINDA ANN HAGEMEYER  
**Street Address 1:** A PROFESSIONAL CORPORATION  
**Street Address 2:** 400 GARDEN CITY PLAZA  
**City:** GARDEN CITY  
**State:** NY  
**Zip:** 11530-0289  
**Country:** UNITED STATES

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
11/01	89	11050381	18626	2251	\$60.00	\$27.1
11/01	992	11931213	21901	1011	\$310.00	\$27.1
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11/23 3393	10855153	17845	1501	\$1,440.00	\$16.1
11/23 3394	10855153	17845	1504	\$300.00	\$16.1

### Acknowledgement Receipt

The USPTO has received your submission at **14:56:06** Eastern Time on **20-NOV-2007** by Deposit Account: 191013.

\$ **930** fee paid by e-Filer via *RAM* with Confirmation Number: 248.

You have also pre-authorized the following payments from your USPTO Deposit Account:

Charge any Additional fees required under 37 CFR 1.492 (National application filing, search, and examination fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)

### eFiled Application Information

EFS ID	2492607
Application Number	10538534
Confirmation Number	4137
Title	Polarization-enhanced detector with gold nanorods for detecting nanoscale rotational motion and method therefor
First Named Inventor	Wayne D. Frasch
Customer Number or Correspondence Address	26707
Filed By	Frank S. DiGiglio
Attorney Docket Number	112624.00089
Filing Date	10-JUN-2005
Receipt Date	20-NOV-2007
Application Type	U.S. National Stage under 35 USC 371

### Application Details

Submitted Files	Page Count	Document Description	File Size	Warnings
RequestforContinuedExamination.pdf	3	Request for Continued Examination (RCE)	738432 bytes	◆ PASS
21926AMENDMENT.pdf	7		196995 bytes	◆ PASS
		<b>Document Description</b>	<b>Page Start</b>	<b>Page End</b>
		Amendment Submitted/Entered with Filing of CPA/RCE	1	1
		Claims	2	4
		Applicant Arguments/Remarks Made in an Amendment	5	7
fee-info.pdf	2	Fee Worksheet (PTO-06)	8385 bytes	◆ PASS

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated

documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

*If you need help:*

- *Call the Patent Electronic Business Center at (866) 217-9197 (toll free) or e-mail [EBC@uspto.gov](mailto:EBC@uspto.gov) for specific questions about Patent e-Filing.*
- *Send general questions about USPTO programs to the [USPTO Contact Center \(UCC\)](#).*
- *If you experience technical difficulties or problems with this application, please report them via e-mail to [Electronic Business Support](#) or call 1 800-786-9199.*

Electronic Patent Application Fee Transmittal				
Application Number:	10538534			
Filing Date:	10-Jun-2005			
Title of Invention:	Polarization-enhanced detector with gold nanorods for detecting nanoscale rotational motion and method therefor			
First Named Inventor/Applicant Name:	Wayne D. Frasch			
Filer:	Frank S. DiGiglio/Betty Kielbrowski			
Attorney Docket Number:	112624.00089			
Filed as Large Entity				
U.S. National Stage under 35 USC 371 Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Extension - 1 month with \$0 paid	1251	1	120	120



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No. 5131 P. 7

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Miscellaneous:</b>				
Request for continued examination	1801	1	810	810
<b>Total in USD (\$)</b>				<b>930</b>

PTO/SB/DOES (05/07)

Approved for use through 11/30/2007. CMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**REQUEST FOR CONTINUED EXAMINATION(RCE)TRANSMITTAL**  
**(Submitted Only via EFS-Web)**

Application Number	10/538,534	Filing Date	2005-08-10	Docket Number (if applicable)	21928	Art Unit	1634
First Named Inventor	Wayne D. Frasch			Examiner Name	Amanda Marie Shaw		

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. The Instruction Sheet for this form is located at [WWW.USPTO.GOV](http://WWW.USPTO.GOV)

**SUBMISSION REQUIRED UNDER 37 CFR 1.114**

Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

☐ Other \_\_\_\_\_

☒ Enclosed

☒ Amendment/Reply

☐ Information Disclosure Statement (IDS)

☐ Affidavit(s)/ Declaration(s)

☐ Other \_\_\_\_\_

**MISCELLANEOUS**

☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months \_\_\_\_\_  
(Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

☐ Other \_\_\_\_\_

**FEES**

☒ The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.  
The Director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to  
Deposit Account No 191013

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

☒ Patent Practitioner Signature

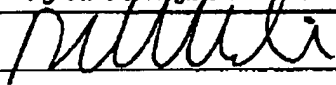
☐ Applicant Signature

PTO/SB/S0EF6 (09/07)

Approved for use through 11/30/2007. OMB 0851-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Signature of Registered U.S. Patent Practitioner			
Signature	/Richard L. Catania/ 	Date (YYY-MM-DD)	2007-11-20
Name	Richard L. Catania	Registration Number	32808

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*